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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,572	01/23/2004	John Twynam	204552031600	3031

7590 06/30/2008  
Barry E. Bretschneider  
Morrison & Foerster LLP  
Suite 300  
1650 Tysons Boulevard  
McLean, VA 22102

EXAMINER
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LEE, EUGENE

ART UNIT	PAPER NUMBER
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2815

MAIL DATE	DELIVERY MODE
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06/30/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## **DETAILED ACTION**

### ***Acknowledgement of Reply Brief***

1. The reply brief filed 2/1/08 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

### ***Examiner's Amendment to the Examiner's Answer***

2. The Examiner's Answer filed 3/12/08 did not include the following reference Phillips 6,770,902 B2 in paragraph (8) Evidence Relied Upon. Therefore, the following is now inserted into page 3 of the Examiner's Answer as a reference under the paragraph Evidence Relied Upon.

6,770,902	PHILLIPS	8-2004
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## **INFORMATION ON HOW TO CONTACT THE USPTO**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Lee whose telephone number is 571-272-1733. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Parker can be reached on 571-272-2298. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Eugene Lee

June 23, 2008

/Eugene Lee/

Examiner, Art Unit 2815